

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
81 Higuera Street, Suite 200  
San Luis Obispo, CA 93401-5427**

**CLEANUP OR ABATEMENT ORDER NO. 98-82**

**Concerning**

**CALIFORNIA DEPARTMENT OF CORRECTIONS,  
CALIFORNIA MEN'S COLONY  
SAN LUIS OBISPO COUNTY**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Board), finds:

1. The California Department of Corrections (hereafter Discharger) operates wastewater collection, treatment, and disposal facilities to provide sewerage service to the California Men's Colony (CMC), the California National Guard's Camp San Luis Obispo, Cuesta College, San Luis Obispo County Education Center, and San Luis Obispo County Operational Facility.
2. Treated municipal wastewater is discharged to Chorro Creek through an outfall (Discharge No. 001) located on the creek bank (35°19'30" No. Latitude, 120°46'55" W. Longitude). Effluent may also be used to irrigate fodder crops on adjacent property owned by California Polytechnic State University, supplied to San Luis Obispo County for irrigation of Dairy Creek Golf Course and associated facilities and used for landscape irrigation at Camp San Luis Obispo and CMC facilities.
1. The discharge is subject to Waste Discharge Requirements Order No. 95-80, NPDES Permit No. CA0047856, adopted by the Board on October 13, 1995. Order No. 95-80 implements state and federal regulations and specifies in part:

“F. PROVISIONS

“3. The Discharger shall comply with all appropriate items of the attached "Standard Provisions and Reporting Requirements for National Pollutant Discharge Elimination System Permits," dated January 1985, (also referred to as "Standard Provisions")<sup>C</sup>.”

4. Standard Provisions referenced in Provision F.3. above specify in part:

“A. GENERAL PERMIT CONDITIONS

“4. “Bypass” and “overflow” of untreated and partially treated waste is prohibited.

“7. Introduction of “pollutant free” wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited.

“8. Collection, treatment, and discharge of waste shall not create a nuisance or pollution, as defined by Section 13050 of the California Water Code.

“11. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.

5. The Discharger has reported 17 sewage spills in the past 2 years. Spills have been primarily due to inadequate capacity in the collection system. From approximately 48,400 gallons spilled, reportedly 17,100 gallons of sewage discharged to Chorro Creek (combined total from all incidents).

6. Regional Board Staff, CMC staff and CMC's engineering consultant have met several times during the past year and discussed methods of resolving permit violations in a timely manner. Representatives of CMC have provided information in a timely and cooperative manner and such information is included in this Order.
7. Section 13304 of the California Water Code provides that the Board may order any person discharging waste in violation of waste discharge requirements to cleanup or abate the effects thereof; or in the case of threatened pollution or nuisance, to take other necessary remedial action.
8. This enforcement action is taken for the protection of the environment and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

**IT IS HEREBY ORDERED**, pursuant to Sections 13267 and 13304 of the California Water Code, the California Department of Corrections, California Men's Colony shall:

1. As soon as possible but no later than December 10, 1998, complete collection system study identifying deficiencies and proposed corrective actions.
2. As soon as possible but no later than June 30, 2000, complete design of improvements needed to correct collection system deficiencies.
3. As soon as possible but no later than September 1, 2000, begin construction of collection system improvements.
4. As soon as possible but no later than December 1, 2001 complete construction of collection system improvements.
5. Submit monthly status reports indicating progress and compliance with scheduled corrective actions, such reports may be combined with monthly self-monitoring reports if the discharger so chooses.

All technical and monitoring reports required in conjunction with this Order are required pursuant to Section 13267 and 13304 of the California Water Code. All such reports shall include a statement by the Discharger or an authorized representative, certifying under penalty of perjury under laws of the State of California, that the report is true, complete and accurate. Engineering reports and plans shall be prepared, signed, and stamped by a qualified licensed/registered professional.

**If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, including compliance with the above mentioned schedule, the Executive Officer may seek authorization to request the Attorney General to take appropriate enforcement action against the Discharger, including injunction and civil remedies, if appropriate; the Executive Officer is authorized to issue an Administrative Civil Liabilities Complaint; or refer the California Department of Corrections, California Men's Colony back to the Board for further enforcement action.**

**I, ROGER W. BRIGGS, Executive Officer**, of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of an Order issued by the Regional Water Quality Control Board on July 9, 2001.

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Executive Officer